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H – 683

International Court of Justice

H0683-0002

in c[illegible]

as evidence

Ne pas publier avant [illegible]ion devant le tribunal en audience publique et seul[illegible]ent la partie réellement versée au dossier.

Nicht zu veroeffentlichen v[illegible] Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как [illegible]едставлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

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I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1946.

Je certifie qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministère Public suivant les règles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige, dass keine der hierin enthaltenen Dokumente vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel
Signature de l'Avocat
Unterschrift des Verteidigers.

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Document Book V

Constantin von Neurath

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Neurath No. 141
Defense Exhibit No.

Filed July 2, 1946

Report of the Czech Envoy in Berlin Dr. Mastny Concerning a Conference with Baron v. Neurath on 12 March 1938.

(Quoted from: "European Politics as Reflected in the Prague Files". P. 91)

Neurath No. 141

Defense Exhibit No.

Mastny's conference with Baron v. Neurath.

1) Baron Neurath's private secretary told me on the phone today that the former wants to talk to me. I arranged a meeting with him for 5.30 p.m. in his home.

2) At noon, during the lunch-party given by the Greek Envoy, I met State Secretary von Mackensen (who, as is known, is Neurath's son-in-law) who told me that Baron Neurath on behalf of the Reich Chancellor desires to have a conversation with me and that he wants to assure me that Czechoslovakia has not the slightest reason to be alarmed because of the German intervention in Austria. At the same time he assured me of the intention existing here to proceed with the negotiations started for the purpose of improving the relation between the two countries. He said that he knew that General Field Marshal Goering also had already given me the corresponding assurances, and that an expression of the efforts made in order that Czecho-Slovakia should in no way be alarmed, could further be seen in the fact that the German armed forces in Austria had strict orders not to approach the Czecho-Slovakian borders anywhere closer than 30 kilometers. When I replied that General Field Marshal Goering spoke of 15 kilometers, von Mackensen said that actually a distance of 30 kilometers has been decided upon in order that in case this greater distance should be crossed by mistake, those 15 kilometers shall be maintained under all circumstances.

3) At 5.30 o'clock I visited Baron Neurath who welcomed me in a very cordial and friendly manner and first of all told me that just before the Reich Chancellor's departure for Austria he had been entrusted by him with taking care - in his capacity of chairman of the Secret Council (Geheimer Rat) - of the affairs on the Foreign Policy agenda during the Chancellor's and Ribbentrop's absence(the latter was still in London). In this capacity he was to provide me on behalf of the Chancellor with the reassuring declaration that the Austrian case is a family matter and that Czecho-Slovakia did not have the slighest reason for being alarmed in any way because of the events which have occurred that on the contrary, - as he knew the Reich Chancellor had already told me personally (on 15 February) - Germany sincerely desires an improvement of the relationswith us, under the well-known condition that our relations with the Sudeten Germans improves, in which (relationship), however, Germany does not want to intervene. A tension like the present one, said Baron Neurath, is exactly the appropriate period for improving our relations and he himself is more optimistic now than he was before. He is also pleased that he could give me that assurance, for which he is the spokesman, and which he connects also with the information that measures have been taken in order that the German military groups in Austria stop at a distance of 30 kilometers from the Czecho-Slovakian border.

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Finally he added that he has been informed by General Field Marshal Goering of the declaration handed to me by the latter yesterday evening and this morning.

4) From all the facts presented - from my conversations with the Reich Chancellor on 15 February, from the conversations with General Field Marshall Goering, with State Secretary Mackensen and with Baron Neurath - it appears clearly that actually there are no immediate designs on Czecho-Slovakia and that on the contrary Germany is interested in avoiding a conflict with us at this moment.

Copy certified by:

Dr. Frhr. von Lüdinghausen
Attorney-at-Law and Notary

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Neurath No.142

Defense Exhibit No. ...

Filed July 2, 1946

Excerpt from Sir Nevile Henderson, Failure of a Mission, Berlin 1937 - 1939, P.203/04.

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Neurath No. 142.....

Defense Exhibit No.....

Sir Nevile Henderson, Failure of a Mission, P.203/04

In the event the only part of the performance which could be regarded as decent was the appointment of Baron von Neurath as Lord Protector of Bohemia and Moravia. It was an invidious task for him, and apart from the fact that, in view of Neurath's reputation as a moderate and as not unsympathetic to the Czechs, his nomination was calculated to throw dust in the eyes of Europe, it was surely with his tongue in his cheek that Ribbentrop recommended his former chief for such a job. Nor was it made any easier for Neurath later, when a notorious Sudeten bully and gangster, Frank, was appointed to be his State-Secretary.

I hereby certify that this an exact and true copy of the original text.

(signed) s. Dr. Freiherr von Luedinghausen

.....

Dr. Freiherr von Luedinghausen

Attorney-at-Law and Notary

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Neurath No.143

Defense Exhibit No.

Excerpt from the Article "The New Order of Central-Europe" from the "Frankfurter Zeitung" of March 30, 1939

Filed July 2, 1946

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Neurath No. 143

Defense Exhibit No.

Excerpt from the article "The New Order of Central Europe"

Reich Protector Baron v. Neurath and State President Dr. Hacha in the "European Review".

Berlin, 29 March. (DNB-German Information Agency)

The Reich Protector for Bohemia and Moravia, Baron v. Neurath, makes a statement in the "European Review" about his tasks. Baron v. Neurath declares in his article:

"Because of his confidence in me the Fuehrer entrusted me, in my capacity of Reich Protector for Bohemia and Moravia, with a difficult but beautiful task. The question is to give back to the country and all its inhabitants, after 20 years of unhappy dissensions, the sentiment of justice and security, of confidence and hope for a happier future and for a settlement of the conflicts honorable for both parties. The experience in the domain of the national, political and economic life developed during 1000 years of history of these countries, the reminder that the periods of great cultural achievements of this country coincided with those of peaceful collaboration, will be guiding principles for me.

In view of the fresh scars and wounds left on all sides by the recent events, I understand and respect also the feelings of the nation for whose protection and prosperous development I am responsible to the Fuehrer. Therefore, I consider that the profoundest meaning of my task consists of showing the world how the German nation knows to further a nation entrusted to it, to respect that nation's natural rights and without hurting its dignity and honor, to win it over to the common way of life, a life conditioned by its historical and geo-political destiny. The governmental, cultural and political framework which is given by the Fuehrer's decree for the countries of Bohemia and Moravia is wide enough to grant the Czech nation a peaceful, free development of its splendid talents and to guide the Bohemian and Moravian countries-to which Germans as well as Czechs are attached by a profound love- towards a new cultural and economic golden age.

Through my political experience I became familiar with the cares and necessities of many nationalities which are living as minorities or as closed national groups within a different national organization. Only a few nations entrusted by the peace treaties with the care of foreign nationalities have shown themselves as being honest trustees.

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If the Czech nation recalls what the experiences of the last two decades taught it, it will recognize that it was unscrupulously misused as means to an end by those powers which today pretend to deplore its fate.

Being the profiteers of an intended, permanent German-Czech opposition, they were not interested in cordial relations between the two countries and eased natural conditions in this area. The Fuehrer has provided the prerequisites for the re-establishment of order, security, justice and understanding. My task is to materialize them within the life of the Czech nation as well as in the way the two nations live together. Any person of good will and sincere sentiments who is determined to serve the provinces and inhabitants of the Reich Protectorate in an unselfish way, will be welcomed to work with me and will find in me a just trustee for the interests of all.

(From the "Frankfurter Zeitung" of 30 March 1939)

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Filed July 2, 1946

Neurath No.144

Defense Exhibit No.....

Order of the Fuehrer and Reich Chancell
concerning the Protectorate of Bohemia
and Moravia of 16 March 1939
(quoted from: Reichsgesetzblatt, I,
page 485)

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Neurath No. 144

Defense Exhibit No.....

Order of the Fuehrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia of 16 March 1939.

.....

Filled with the earnest desire to serve the true interes of the peoples living in this living space, to secure the intrinsic national lives of the German and Czech peoples, to aid the peace and the social welfare of all, I, therefore, order the following on behalf of the German Reich, as the basis on which the inhabitants of these territories will live together in future:

Article 1

(1) Effective immediately those parts of the territory of the former Czecho-Slovakian Republic which were occupied by German trcops in March 1939 belong to the territory of the Greater German

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Reich and come as the "Protectorate of Bohemia and Moravia" under its protection.

(2) Insofar as the defense of the Reich demands such measures the Fuehrer and Reich Chancellor will issue regulations deviating from above mentioned ruling, for individual parts of these territories.

Article 2

(1) The racial German inhabitants of the Protectorate become German citizens and according to the provisions of the Reich Citizen Law of 15 September 1935 (Reichsgesetzblatt, I, page 1146) Reich citizens. Therefore, the provisions for the protection of German blood and German honor will also apply to them. They are subject to German courts.

(2) The rest of the inhabitants of Bohemia and Moravia become citizens of the Protectorate of Bohemia and Moravia.

Article 3

(1) The Protectorate of Bohemia and Moravia is autonomous and will have self-government.

(2) It will exercise its sovereign rights within the framework of the Protectorate, in accord with the political, military and economic interests of the Reich.

(3) These sovereign rights will be exercised by its own organs and authorities and through its own civil servants.

.....

Article 5

(1) As Protector of the Reich's interests the Fuehrer and Reich Chancellor appoints a "Reich Protector in Bohemia and Moravia". His official residence will be in Prague.

(2) As deputy of the Fuehrer and Reich Chancellor and as commissioner of the Reich Government the Reich Protector shall attend to it that the Fuehrer and Reich Chancellor's political directives will be complied with.

(3)The members of the cabinet of the Protectorate will be confirmed by the Reich Protector. The confirmation may be withdrawn.

(4) The Reich Protector is authorized to have reports made to him on all measures by the government of the Protectorate and to give it advice. He may raise objections against measures which are

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liable to impair the interests of the Reich and if there is danger impending, issue orders necessary in the joint interest.

(5) The promulgation of laws, decrees and other legal provisions as well as the carrying out of administrative measures and valid court judgments must be deferred if the Reich Protector raises an objection.

.....

Article 8

The Reich has direct control over transportation as well as over the mails, telephone and telegraph.

Article 9

The Protectorate forms a part of the customs-system of the German Reich and is subject to its custom regulations.

.....

Article 11

(1) The Reich may issue legal directives with validity for the Protectorate if and when joint interests so demand.

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(2) If and when a joint need exists the Reich may take over branches of the administration into its own administration and set up Reich-owned authorities necessary for this purpose.

(3) The Reich Government may take the measures necessary for preserving law and order.

Article 12

Laws at present valid in Bohemia and Moravia will remain in force if and when they are not in contravention of the meaning of assumption of the protection by the German Reich.

Article 13

In agreement with the Reich Ministers concerned the Reich Minister of the Interior will issue the legal and administrative regulations necessary for carrying out and supplementing this decree.

Prague, 16 March 1939

THE FUEHRER AND REICH CHANCELLO

Adolf Hitler

The Reich Minister of the Interior

Frick

The Reich Minister of Foreign Affair

von Ribbentrop

The Reich Minister and Chief of the Reich Chancellery

Dr.Lammers.

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Neurath No. 145
Defense Exhibit No. .....

Filed July 2, 1946

Decree relative to the Order of the Fuehrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia of 22 March 1939

(Quoted from: "Reichsgesetzblatt, I, page 549)

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Neurath No. 145
Defense Exhibit No. .....

Decree relative to the Order of the Fuehrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia, of 22 March 1939.

I)

(1) The Reich Protector in Bohemia and Moravia is the only representative of the Fuehrer and Reich Chancellor and the Reich Government in the Protectorate.

(2) He is directly subordinate to the Fuehrer and Reich Chancellor and receives directives only from him.

II)

(1) Central agency for carrying out the order of the Fuehrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia is the Reich Minister of the Interior.

(2) When taking any measures concerning the Protectorate, especially when issuing legal directives and taking measures relative to organization the supreme Reich authorities must bring about an agreement with the Central Agency.

III)

(1) The Fuehrer and Reich Chancellor reserves the right to issue regulations concerning the execution of stipulations under (I).

(2) The Reich Minister of the Interior will issue regulations concerning the execution of the stipulations under (II).

Berlin, 22 March 1939.

THE FUEHRER AND REICH CHANCELLOR

Adolf Hitler

The Reich Minister of the Interior

Frick

The Reich Minister and Chief of the Reich Chancellery

Dr. Lammers

(Quoted from: Reichsgesetzblatt, Part I, page 549).

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Neurath No. 146

Defense Exhibit No.....

Filed July 2, 1946

Decree concerning the Exchange of Goods with the Protectorate of Bohemia and Moravia, of 28 March 1939.

(Quoted from Reichsgesetzblatt, I, page 654

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Defense Exhibit No. ...

Decree

Concerning the Exchange of Goods with the Protectorate of Bohemia and Moravia, of 28 March 1939.

In order to prevent, for the protection of the economy in the Protectorate, an uncontrolled flow of goods, especially of raw materials and half finished products, into the Reich territory, by virtue of the decree concerning the Exchange of Goods of 4 September 1934 (Reichsgesetzblatt, I, page 816), as amended in the decree of 28 June 1937 (Reichsgesetzblatt, I, page 761) the following is decreed:

Section 1

Natural or legal persons(translator's note: firms or associations having corporate rights) and agencies having their residence, seat of administration or business establishment in the German Reich territory outside the Protectorate of Bohemia and Moravia, may not acquire in the Protectorate or transfer from it into the other Reich territory those goods which will be designated by announceme of the Reich Minister of Economics, the Reich Minister of Food and Agriculture or the Reich Forestry Master in the German Reich Gazet and Prussian State Gazette.

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Section 6

The person who, without the required export permit, acquires goods from the Protectorate of Bohemia and Moravia, transfers them into the other Reich territority or acts in violation of the conditions and stipulations will be punished according to the penal provisions of the Decree concerning the Exchange of Goods.

The Reich Minister of Economics

Represented by

Dr. Landfried

By order of

The Reich Minister of Food and Agriculture

Dr.Walter

By order of

The Reich Finance Minister

Wucher

By order of

The Reich Forestry Master

Dr.Wrabec

The Reich Minister of the

Interior
Represented by
Pfundtner

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Neurath No.147

Defense Exhibit No...

Filed July 2, 1946

Order concerning the Exercise of Criminal Justice in the Protectorate of Bohemia and Moravia, of 14 April 1939.

(Quoted from : Reichsgesetzblatt I, page 754)

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Neurath No. 147

Defense Exhibit No.

O r d e r

Regarding the Exercise of Criminal Justice in the Protectorate of Bohemia and Moravia. Of 14 April 1939.

By virtue of the decree of the Fuehrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia, of 16 March 1939 (Reichgesetzblatt I, page 485) it is ordered:

Art. I

Exercise of German Criminal Justice.

./. Introduction of the Reich Law.

Section 1

(1) For German nationals in the Protectorate of Bohemia and Moravia are in force:

1. The criminal code of the German Reich.

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Berlin, April 14th

The Reich Minister of Justice

Dr. G u e r t n e r

The Reich Minister of the Interior

Represented by:

P f u n d t n e r

(Quoted from: Reichsgesetzblatt I, page 745)

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Filed July 2, 1946

Neurath No. 148

Defense Exhibit No.

Order regarding legislative power in the Protectorate of Bohemia and Moravia of 7 June 1939

(Quoted from: Reichsgesetzblatt, II, page 1039)

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Neurath No 148

Defense Exhibit No.

Order regarding legislative power in the Protectorate of Bohemia and Moravia of 7 June 1939.

On the grounds of Art. 13 of the decree of the Fuehrer and Reichs Chancellor regarding the Protectorate of Bohemia and Moravia of 16 March 1939 (Reichsgesetzblatt, I, page 485), in execution of Art.5, par.4, Art.II, par. 1 and 3, and Art. 12 of that decree, it is ordered:

Section 1

(1) The Reichs Protector may change by order the autonomous law, so far as is required by common interests.

(2) In case of danger through delay the Reichs Protector may issue legal provisions of any kind.

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Berlin, the 7th of July 1939

THE FUEHRER AND REICH' CHANCELLOR

Adolf Hitler

The Reich Minister of the Interior

Frick.

The Reich Minister and Chief of the Reich Chancellery

Dr. Lammers

(Quoted from the "Reichsgesetzblatt,
Part I", page 1039)

Certified true copy

Signed: Dr. Frhr. von Luedinghausen
Attorney-at-Law and Notary.

(Page 380
of orig.)

Neurath No. 149
Defense Exhibit No....

Filed July 2, 1946

Order regarding the formation of the Administration and of the German Security Police in the Protectorate of Bohemia and Moravia.
Of 1 September 1939
(Quoted from: Reichsgesetzblatt,
Page 1681)

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Neurath No. 149...
Defense Exhibit No.....

O r d e r

regarding the formation of the Administration and of the German Security Police in the Protectorate of Bohemia and Moravia. Of 1 Sept. 1939.

The Council of Ministers for the defense of the Reich order issues the following order to be considered a Law:

I) Formation of the German Administration in the Protectorate of Bohemia and Moravia.

Section I

All official authorities, agencies and organs of the Reich in the Protectorate of Bohemia and Moravia, with the exception of the Wehrmacht are subordinated to the Reich Protector.

Section 2

The Reich Protector supervises the entire autonomous administration of the Protectorate.

Section 3

The authority of the Reich Protector holds good for all branches of the Reich Administration, except the Wehrmacht. Within the realm of the Reich Protector's authority the creation of further administrative offices alongside that of the Reich Protector's is excluded.

Section 4

The general representative of the Reich Protector in directing officials is the Secretary of State and in case he is prevented the Under Secretary of State.

To the Office of the Reich Protector there must be assigned the necessary employees and assistants. The Reich Protector directs the inner structure of his office in accordance with the Minister of the Interior, as the central point for Bohemia and Moravia.

Section 5

The Protectorate of Bohemia and Moravia is to be partitioned into "Oberlandrat" districts. The demarcation lines of these districts are to be established by the Reich Protector in accordance with the Minister of the Interior.

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II. German Security Police in the Protectorate of Bohemia and Moravia.

Section 10

In the Protectorate of Bohemia and Moravia

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the Secret State Police and parts of the Criminal Police, the latter so far as is made necessary by the introduction of German criminal justice are to be taken over by the Reich's administration itself.

Section II

The organs of the German Security Police in the Protectorate of Bohemia and Moravia have the task of investigating and suppressing all activities which are hostile to the state and the welfare of the nation. They are to collect and estimate the results of their findings to inform the Reich Protector and his subordinate officials of important events in order to keep them abreast of the course of affairs, and to offer suggestions.

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Berlin, the 1st September 1939

The president of the Cabinet Council for the defense of the Reich

G o e r i n g

General Field Marshal

The General Plenipotentiary for the Administration of the Reich

F r i c k

The Reich Minister and Chief of the Reich Chancellery

Dr. L a m m e r s

(Quoted from: Reichsgesetzblatt, I, page 1681)

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Exhibit Neurath No. 15o

Filed July 2, 1946

Letter of the Defendant Frhr. v. Neurath to the Ministerial Director Dr. Koepke of 14 October 1939.

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Exhibit Neurath No.

By the way, we live here, as I told you already, as in a prison and I can imagine very well the feelings of a prisoner even though in a golden cage. My dogs also complain about it. If there were no war, I would leave the Hradschin as soon as possible. It is a pity one is too old to go to the front again.

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.....

I herewith certify that the above copy of the letter is a correct translation of the original text before me.

(Dr. Frhr. v. Luedinghausen)
Attorney-at-Law and Notary.

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Neurath No. 152
Defense Exhibit No. .....

Filed July 2, 1946

Excerpt from
the Protocol of the Interroga-
tion of the former State Se-
cretary and State Minister in
the Protectorate of Bohemia
and Moravia, of 5 May 1945.

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Neurath No. 152
Defense Exhibit No. .....

Extract
from interrogatory of Karl Hermann Frank,
former State-Secretary on May. 5, 1945.
p. 22/23.

The students' demonstration in connection with the Czechoslovak National Independence Day on Oct. 28, 1939.

Karl Hermann Frank was interrogated on these events by Dr. Fanderlick.

The Government of the Protectorate and in particular the Minister of the Education Kapras were responsible for the academies and universities in the Protectorate.

In autumn 1939, I believe on Oct. 28, because this was the Czech National Independence Day, demonstrations broke out, which in the majority were led by students, but at which also parts of the population participated. Shooting took place in the streets of Prague. The State Police and the SS-G company from the Castle were sent to the town to make order. As far as I remember, several participants were shot and wounded, also several police were killed and injured. Of the demonstrators, particularly a student was wounded, I think it was Johann Opletal, who died in the hospital several days later. At his funeral it came to further demonstrations, which in my opinion were not so large as the first ones. During both demonstrations processions were organized in the town and the demonstrators cried "Down with Hitler", "Long live Benes", "Out with the Germans", a.s.o. It was the first occurence where the population demonstrated publicly and expressed these long slogans in public. For this reason the matter was taken seriously and I myself reported to Berlin on all these events. I remark that I saw the demonstrations myself [illegible] and had the impression that these were of a dangerous nature.

In the report which I sent to Berlin I explicitly stated that these demonstrations were the first and, therefore, should be attributed special importance, as these had taken place in the streets. I asked for the directives and received these immediately from the Fuehrer's Headquarters. These directives were sent from Berlin directly to the Sicherheitspolizei (security police) in Prague, and I was notified of the contents of same. The whole action was carried out directly by the police. From the Fuehrer's Headquarters it was required the leaders should be immediately arrested and executed. Within two days, as far as I can remember, 9 students were arrested and executed. I can-not remember their names. Simultaneously, it was

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ordered from Fuehrer's Headquarters that all seizable students in Prague - I do not know whether also in Bruenn (Brno) - should be arrested and sent to concentration camps. The police had occupied the students'homes, the students were arrested and taken to the concentration camp of Oranienburg. I do not know how many of them were there.

I hereby certify that this is an exact and true copy of the original text.

Dr. Freiherr von Lue[illegible]nghausen

Attorney-at-Law and Notary.

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Neurath No. 153
Defense Exhibit No. .....

Filed July 2, 1946

Excerpt from the Protocol of the Interrogation of Karl Herman Frank, the former State Secretary and State Minister in the Protectorate of Bohemia and Moravia of 3o May 1945.

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Neurath No. 153.....
Defense Exhibit No. .....

Extract from interrogatory of
Karl Hermann Frank, former State
Secretary, on May 30, 1945, p. 15/16.

Re: Police.

The office of the Reich Protector consisted of several departments. The police was, however, not subordinated to this office. To avoid misunderstanding, I state that during the year of 1939 I was appointed Hocherer SS- and Polizeifuehrer (Higher SS- and Police Commander), although originally I did not want to accept this position. I accepted it to avoid that some other high SS official would make politics besides myself. In my capacity of the Higher SS and Police Commander I represented only the interests of the Allgemeine SS (general SS), Waffen SS, Sicherheitspolizei (security police) and Ordnungspolizei (administrative police) without having a right to issue instructions or orders. The Gestapo was a part of the Sicherheitspolizei (security police) with two chiefs independent of each other, one in Prague - during a certain period Dr. Geschke - and another in Bruenn (Brno). Both of them received instructions and orders directly from the Reichssicherheitshauptamt (main office for the security of the Reich) in Berlin. In addition to these two Gestapo chiefs, there was a Befehlshaber der Sicherheitspolizei (executive commander of the security police) in the Protectorate, for a certain time Dr. Rasche - who, however, also had no complete right of issuing instructions as concerns these Gestapo chiefs. Both Gestapo headquarters in Prague and Bruenn had a large number of branches in Bohemia and Moravia.

Q. Who was responsible for the acts of the German authorities in the Protectorate?

A. The Reich Protector, and with him myself, were responsible for the state political and governmental activity of these authorities. Neither the Reich Protector nor myself was responsible for the police activity. The supreme responsibility was in the hands of Heinrich Himmler as chief of the German police. The Gestapo received instructions directly from Berlin, either from Himmler himself or from the RSHA (main office for the security of the Reich).

H0683 – 0046

Neurath No. 154
Defense Exhibit No. .....

Filed July 2, 1946

Excerpt from

the Protocol of the Interrogation of Karl Herman Frank, the former State Secretary and State Minister in the Protectorate of Bohemia and Moravia, of 1o June 1945.

H0683 - 0047

Neurath No. 154
Defense Exhibit No.....

Extract from Interrogatory of Karl Hermann Frank, former State-Secretary, on June 10, 1945.

I remember also that the "Auswaertige Amt" (foreign office) liquidated the Malthesian Order in Prague in 1939, that it confiscated its property and that out of this property it sent some valuable tapistry probably to Fuchl on the lake of Fuchl, Salzburg (the then summer residence of Joachim von Ribbentrop). Against this the then Reichsprotector Neurath raised in vain the strongest protest. He desired as well as I did that these objects of art bound to the country and created in the country should remain in the country.

I hereby certify that this is an exact and true copy of the original text.

Dr. Otto Freiherr von Luedinghausen
Attorney-at-Law and Notary.

H0683-0048

Filed July 2, 1946

Neurath No.155

Defense Exhibit No

Affidavit by Theodor G r o s s

of 3 May 1946

H0683-0049

Zuffenhausen, 3 May 1946

at present Internment Camp No.78.

Affidavit.

I declare herewith in lieu of oath:

In September 1939 I was detailed from the Food Ministry in Berlin to Prague where I worked as head of the Department of Agriculture in the office of the Reichs Protector until December 1941.

It was my task to develop and maintain production and food supplies in the Protectorate.

Quite separate from the Department of Agriculture there was also the Land Survey Planning Office (Bodenamt) as a Czech administration. SS Standarten fuehrer (subsequently Oberfuehrer) von Gottberg was appointed its provisional director. State Secretary Frank always paid special attention to the Land Survey Planning Office and kept it separate, independant of the other authorities in the Protectorate, managing it directly through the provisional director. It was looked upon as an instrument of the land - (German Settlement) - policy. There were repeated clashes between it and the office of the Reich Protector which saw its mission in the safeguarding of the food supplies alone and not in the realization of political plans. The economic policy of the Land Survey Planning Office showed characteristics which are not customary in other administrative systems.

Mr. v. Neurath constantly endeavored to restrain the influence of the Land Survey Planning Office but his efforts, however, were thwarted by the SS through the provisional director. In the spring of 1940, Mr. von Neurath succeeded at last in bringing about the removal of the provisional director. I was subsequently given his work, but without consolidation of the Land Survey Planning Office with the Department of Food and Agriculture at the office of the Reich Protector.

H0683-0050

Mr. von Neurath told me when I took over the office that I should attempt as far as possible to stop any further advance by the Land Planning Office. (Evacuation and resettlement of Czechs.)

Since my entire German personnel at the Land Planning Office consisted of members of the SS who received orders from their SS office unknown to me or to Mr. von Neurath, there were continual difficulties arising which showed clearly enough the difference between the policy of Mr. von Neurath and that of the SS (Frank). Time and time again Mr. v. Neurath supported me in my efforts to prevent further advances by the Land Planning Office, as for instance in the case of the lay-out of the SS troop training grounds in Beneschau. As long as Mr. von Neurath was in Prague and I was in charge of the Land Planning Office this plan was not carried out.

By constantly delaying and rejecting the demands of the SS Mr. von Neurath pursued the same aim also with regard to the confiscation of the large Czech estates. In his food policy he likewise advocated the standpoint that the amount of food allotted to the Czech population should be fully equal to that of the German, which standpoint, by the way, was rigorously observed during his time in office. On his insistence supplementary food was imported into the Protectorate from the Reich.

After Mr. von Neurath's exit the situation completely changed in so far as the measures against the Czechs stiffened considerably, and this fact induced me to ask for my recall from Prague. The same thing happened with quite a number of other officials. In peaceful cooperation with the Czech population according to Neurath's ideas - all of us saw the Protectorate's sole change of survival.

H0683-0051

sgd. Theodor Gross.

" Herewith it is certified that the above mentioned signature of Theodor Gross is correct and given in my presence.

sgd. PREBLE E. PETTIT
(Preble E. Pettit)
Lt. 16th A.F.A. Bn.
Commanding Officer Camp No.78 "

H0683-0052

Neurath No. 158

Defense Exhibit No....

Filed June 24/1946

Affidavit

of Werner von Holleben
of 18 May 1946.

H0683-0053

CITY OF GENEVA)
CANTON OF GENEVA)
CONFEDERATION OF SWITZERLAND,) SS:
CONSULATE OF THE UNITED STATES OF AMERICA.)

Before me, J. Brock Havron, American Vice Consul, in and for the consular district of Geneva, duly commissioned and qualified, personally appeared Werner von Holleben, who being duly sworn, deposes and says as follows:

(1) My name is Werner von Holleben and my present address is c/o Y.M.C.A., 77 Quai Wilson, Geneva.

(2) I hereby declare that the answers which I have given to the questions numbered 1 through 30, given in the German language and attached hereto, are true and correct to the best of my knowledge and belief.

(signed) Werner von Holleben

Subscribed and sworn to before me this
eighteenth day of May 1946.

(signed) J. Brook Havron
Vice Consul of the United
States of America.

Official Service No. 1382
Fee $ nil equal -
T.I. No.38.

JBH/dh

(Seal:)
American Consulate
Geneva, Switzerland.

H0683-0054

Q u e s t i o n s put

to the

Consul von H o l l e b e n .

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1) You were in Mr. von Neurath's office, what kind of work did you do ?

2) When did you begin this work and for how long did you do it ?

3) How did you get the knowledge of Mr.von Neurath's activity as Reich Protector which enables you to answer the following questions?

4) What was Mr.von Neurath's attitude towards the Czech population ?

5) What was the relationship between von Neurath and the police and SS who were not under his command ? Did he have difficulties with both organizations and why ?

6) Did he have arguments with Himmler about this ?

7) Did he not often complain to Hitler ?

8) Do you know anything of the fact that Mr.von Neurath several times tendered his resignation to Hitler and of his reasons for doing this ? What were Hitler's reactions to his attempts to resign ?

H0683-0055

9) What was the relationship between Neurath and State Secretary Frank ?

10) What do you know about the student riots in October and November 1939 ?

11) After the riots of 15 November von Neurath together with Frank and Friderici were sent for by Hitler on 16 November; when did he return from Berlin ?

12) When did Frank return ?

13) Did you, after Frank's return on 16 November, hear anything about the action it was intended to take against the students ?

14) When did you hear of the events in the night from 15 to 17 November ? What did you hear about them ?

15) Did you already hear on the 17th that several students- [redacted]w many ?- were shot upon Hitler's orders and that about 1200 students were arrested and the Czech colleges closed for three years ?

16) Did you telephone von Neurath in Berlin and inform him of the events? Or who did that ? Did von Neurath already know of the events ?

H0683-0056

17) Did he, upon his return, tell you of his discussions with Hitler in Berlin? What?

18) On 17 or 18 November in Prague a proclamation to the Czech people was published announcing the shooting of the students, the arrest of others and the closing of the Czech colleges for three years etc. This announcement was signed with von Neurath's name. Do you know who drew up the proclamation? Do you know whether von Neurath had knowledge of it before the publication and whether he gave his consent to it or not?

19) What was Mr. von Neurath's attitude to this student riot and to the measures taken against the students when he heard about them? What did he do himself?

20) What was Mr. von Neurath's attitude to the closing of colleges ordered by Hitler?

21) Do you know what position Frank took with regard to these events?

22) What was von Neurath's attitude to the church question in the Protectorate? Did he go with the Archbishop of Prague until the latter died?

H0683-0057

23) Do you know anything about the opinion and attitude of Mr. von Neurath to the reprisals planned by the Police against the families of the escaped ministers Nemec and Feierabend?
Did Mr. von Neurath in the face of Gestapo opposition give permission for financial support to the Czechs who had been arrested by the Gestapo, and did he succeed in this?

24) Do you know anything about the reasons which in the autumn of 1941 caused von Neurath to leave Prague and to resign his office as Reich Protector?

25) Do you know anything about the fact that during Mr. von Neurath's term of office, either at his instigation or with his approval, pictures, works of art or libraries were confiscated, both from state and private collections, and were taken out of the country?

26) Do you know anything about the fact that for a longtime - for how long? - - Mr. von Neurath prevented the customs - union ordered by the Berlin authorities between the Protectorate and the German Reich?

27) Do you know whether Mr. von Neurath made entry into and exit from the Protectorate dependent upon a permit to be issued in advance?
Do you know the reasons for this measure?

H0683-0058

28) Did forced shipments and deportations of workers from the Protectorate take place during Mr. von Neurath's term of office?

29) Do you know anything about the reasons for closing many high schools?

30) Do you know anything about Mr. von Neurath's attitude to the question of Germanizing the Czech country?

Do you know anything about Mr. v. Neurath's efforts to persuade Hitler to prohibit such policy and about the result of these efforts?

.....

(Dr.Fr. von Luedinghausen)

Defense Counsel for the Defendant

Freiherr von Neurath.

Answers:

1) In July 1939 I was assigned by the Foreign Office to Mr. von Neurath in Prague and worked as an advisor under the cabinet chief.

2) I performed the afore-mentioned work from 27 July 1939 until Mr. von Neurath's release from his official duties as Reich Protector on 27 September 1941. I was called back into the Foreign Office in December 1941.
In the meantime, I was released from my official duties in Prague, but was at Mr. von Neurath's personal disposal.

3) From my being employed in his office in Prague.

4) Mr. von Neurath's attitude towards the Czech population has been unprejudiced and based on his wish to alleviate as much as possible the people's difficult position.

5) The police was an executive organ during Mr. von Neurath's term in office. I can't remember its indulging in any politics of its own. It was different with the SS, which systematically opposed Mr. von Neurath's pacifying policy and finally sabotaged it.

6) Yes, I recollect several vigorous protests he made to Himmler.

7) I cannot recall any particular cases. Mr. von Neurath due to his pacifying policy got with Hitler into ever increasing conflict, whose last dramatic expression was his recall from Prague.

8) From my own knowledge I cannot give any opinion on that, as Mr. von Neurath did not care to discuss his personal affairs. It was generally known, however, among the Foreign Office employees that Mr. von Neurath contemplated and actually handed in his request for resignation at various times.

9) The relations between Mr. von Neurath and State Secretary Frank were the worst possible.

H0683-0059

H0683-0060

21) The student riots in October and November 1939 were a turning point in the history of the Protectorate. I cannot remember the chronological order of the events, but I am able to testify the following:

The manifestations made chiefly by the academic youth, which to place on the 28th October, on the occasion of the twentieth anniversary of the foundation of the Czecho-Slovakian State, coul ..be foreseen. Before that date therefore, Mr.von Neurath ha issued a secret order to ignore the manifestations as much as possible and to take steps against them only if they would seem to endanger the public peace and security. By not carrying out th secret order, very much if not all of the mishap has been caused.

Frank returned immediately to Prague after the conference with Hitler. Regarding the measures against the students the office of the Reich Protector, who was still in Berlin, got cognizance only the next morning, partly through the numerous petitions submitted by the relatives of the arrested students to Mr.von Neurath's office. According to my conviction Mr.von Neurath has been only subsequently informed about the sanctions taken against the stude I personally did not deliver the pertinent information to him, an cannot tell either, who did it.

The proclamation to the Czech people under discussion has been issued, to my firmest conviction, without Mr.von Neurath's know-ledge and by misusing his name. I clearly remember that he had vigorous discussions with Frank regarding this matter. He decided to stay in his office at that time because he believed that it would help to avoid even greater misfortune. The closing of the colleges he considered as an irresponsible interference with the life of the Czech people. He was striving with all means availabl to him to bring about the successive release of Czech Univbrity Professors and students from German concentration camps and before release to have them placed in special sections.

22) Mr.von Neurath was an outspoken protagonist of confessional peace. He had entertained trustful relations with clerical circl on the Catholic side with the Prince of the Church, Archbishop o Prague, Cardinal Kaspar.

23) By nature Mr.von Neurath is humane and legal-minded. He therefore always rejected the responsibility and liability of an individual for the activities of another. I am convinced that onl thanks to his interference nothing was done to the families of th escaped ministers Nemec and Feierabend. He was [illegible] the same reaso against the taking of repressive measures of an[illegible]nd against the families of arrested Czechs.

H0683-0061

24. By constant attacks on Mr. von Neurath's peace policy his position became untenable. He was blamed by the SS that his policy strengthened the resistance of the Czechs. Neurath nevertheless remained true to his political attitude. He repeatedly declined to arrest the President of the Protectorate's Government, General Elias and his cabinet.

25. While in office Mr. von Neurath stood for keeping Bohemian art treasure in the hands of the Czech nations. He prohibited explicitly and by special order the export of art works from the Protectorate. He protested vigorously against the forced removal of the Maltese Goberlins from Prague. He was so upset by this incident that he fell sick.

26. Neurath was definitely opposed to a premature custom union. He shared the opinion that the establishment of the Protectorate should prove an economic advantage for the Czechs. He was also a protagonist of the policy of setting an example, which in his opinion was the only one to lastingly fruitful.

27. On similar groundshe stood for the upholding of the frontier pass system which he considered from practical experience as a good and inconspicuous means to save the Protectorate from being drained because of uncontrolled trips made across the frontier.

28. In my opinion: No. The so called Sauckel action took place later on.

29. I am unable to remember individual cases; I can say only in a general way, that Mr. von Neurath was opposed to any kind of forcible measures against the Czech intelligentsia.

30. Mr. von Neurath declined the Germanization of Czechoslovakia which he considered as fatal and impossible to carry out. In Hitler's presence he advocated continuously and with all available means a peace policy which he acknowledged as the only correct one. Thus he undoubtedly attained worthwhile administrative results.